



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Assistant Secretary

1200 New Jersey Ave., S.E.
Washington, DC 20590

March 17, 2009

The Honorable Luis V. Gutierrez
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Gutierrez:

Thank you for your letter of February 25, 2009, supporting and urging prompt action on a request by Continental Airlines and United Air Lines for a grant of antitrust immunity to operate an integrated alliance. The Secretary has requested that I respond to your letter directly.

The U.S. Department of Transportation's review of this request is part of a public proceeding in which interested parties have the opportunity to comment. The Department carefully considers all requests for antitrust immunity, beginning with a review of the record to assess whether there is sufficient information to make a reasoned decision that satisfies all statutory requirements. Decisions regarding requests for antitrust immunity are made after consultation with the Department of Justice, and are based upon statutory standards that include antitrust principles. As this proceeding is pending, I am sure you understand that I cannot comment on the merits of the case. I assure you, however, that the Department will give full and fair consideration to the Joint Applicants' request, as well as all comments in the docket.

As is our normal practice, I am placing a copy of your letter and this response in Docket OST-2008-0234 as a contact outside the record in this matter. I appreciate your interest in this proceeding.

Sincerely yours,

Susan McDermott
Acting Assistant Secretary
for Aviation and International Affairs

DEPT OF TRANSPORTATION
MAR 19 2009

LUIS V. GUTIERREZ
MEMBER OF CONGRESS
4TH DISTRICT, ILLINOIS
2266 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-8203

DISTRICT OFFICES:
3458 WEST NORTH AVENUE
CHICAGO, IL 60647
(773) 384-1665

Congress of the United States
House of Representatives
Washington, DC 20515-1304

S10-090309-048

FINANCIAL SERVICES
SUBCOMMITTEES:
DOMESTIC AND INTERNATIONAL MONETARY
POLICY, TRADE AND TECHNOLOGY
CHAIRMAN
FINANCIAL INSTITUTIONS AND
CONSUMER CREDIT
OVERSIGHT AND INVESTIGATIONS
JUDICIARY
SUBCOMMITTEE:
IMMIGRATION, CITIZENSHIP, REFUGEES,
BORDER SECURITY, AND INTERNATIONAL LAW

February 25, 2009

The Honorable Raymond H. LaHood
Secretary
United States Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Secretary LaHood:

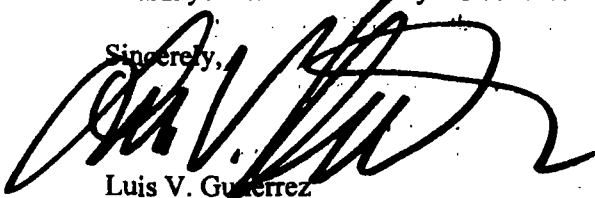
I am writing to respectfully ask that you approve the application before the U.S. Department of Transportation (USDOT) to allow Continental Airlines to join an alliance with United Airlines and other Star Alliance carriers and to extend antitrust immunity for greater international cooperation. In November, the Department declared the record with regard to this application substantially complete, and the applicants are now awaiting a decision.

United Airlines is a major employer and a vital part of the Chicago and Illinois economies. Approval of this proposed agreement will help advance the airline industry's long term competitiveness. Against the backdrop of the global economic crisis, airlines must make fundamental changes to ensure a sustainable structure. Our airlines need to pursue all opportunities to allow them and the communities they serve to stay competitive in an increasingly global marketplace. Approval of this application would allow Continental and United Airlines to compete more effectively with other international alliances and expand price and service options to Chicago's businesses, visitors and residents.

We believe that the authority the present application seeks is fully consistent with USDOT policy and past grants of immunity. USDOT has consistently supported international alliances that enhance consumer welfare and competition by permitting carriers to expand their networks and increase efficiency. An approval of this alliance will benefit consumers, competition and airline employees.

Thank you in advance for your consideration of this important matter.

Sincerely,



Luis V. Gutierrez
Member of Congress